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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,**

Debtor.

**Adv. Pro. No. 08-01789
(SMB)**

SIPA LIQUIDATION

(Substantively Consolidated)

**IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,**

Plaintiff,

v.

**Adv. Pro. No. 09-01364
(SMB)**

ALPHA PRIME FUND LIMITED *et al.*,

Defendants.

**CERTIFICATE OF NO OBJECTION TO MOTION OF
ALPHA PRIME FUND LTD FOR THE ISSUANCE OF
LETTER OF REQUEST FOR THE EXAMINATION OF
ANTON KOLLER**

Alpha Prime Fund (“Alpha Prime”), by and through its counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On December 3, 2020, pursuant to 28 U.S.C. § 1781, Alpha Prime filed its Motion for the Issuance of a Letter of Request for International Judicial Assistance to the Bundesministerium für Verfassung, Reformen, Deregulierung und Justiz, Museumstraße 7, 1070 Vienna, Austria, (the “Motion”) (Adv. Proceeding No. 09-01364 (SMB), ECF 655).

2. The deadline for filing objections to the Motion expired on January 6, 2021. A hearing on the Motion was scheduled for January 13, 2021 at 10:00 a.m.

3. Notice of the Motion was timely provided by U.S. Mail postage prepaid or email to all parties in the adversary proceeding and all parties that filed a notice of appearance in this case, pursuant to the Order Establishing Notice Procedures (ECF No. 4560).

4. Counsel has reviewed the Court’s docket not less than forty-eight (48) hours after expiration of the time to file an objection, to date, no objection, or responsive pleading with respect to the Motion appears thereon. Additionally, no party has indicated to Alpha Prime that it intends to oppose the relief requested in the Motion. Moreover, counsel has spoken with counsel to the Trustee who has affirmatively indicated that the Trustee has no objection to the relief requested in the Motion.

5. An electronic copy of the proposed order (the “Order”), that is substantially in the form of the proposed order that was annexed to the Motion will be submitted to the Court along with this certificate.

6. Pursuant to Local Bankruptcy Rule 9075-2, Alpha Prime respectfully requests that the Order be entered without a hearing.

Dated: New York, New York
January 11, 2021

DuffyAmedeo LLP

/s/ Todd E. Duffy

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